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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/413,728	10/06/1999	THOMAS J. MARSAN	013647.00015	2353

33649   7590   10/29/2007
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EXAMINER
BORISSOV, IGOR N

ART UNIT	PAPER NUMBER
3628	

MAIL DATE	DELIVERY MODE
10/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Supplemental *** Notice of Allowability***	09/413,728	MARSAN ET AL.
	Examiner	Art Unit	
	Igor N. Borissov	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Appeal Brief Filed 03/09/2006*.

2. ☒ The allowed claim(s) is/are *1,2,4-7,11-19 and 21-27*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

Applicant's arguments, see Appeal Brief filed 03/09/2006, with respect to claims 1, 2, 4-7, 11-19 and 21-27 have been fully considered and are persuasive. Therefore, Claim Rejections under 35 USC § 102(b) and 35 USC § 103 has been withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312, To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

IN THE CLAIMS

27. A system for processing transaction data comprising:

a substitute draft system <u>configured to</u> receiv[[ing]]<u>e</u> a retrieval request and generat[[ing]]<u>e</u> a substitute draft in response to the retrieval request;

a merchant interface coupled to the substitute draft system, the merchant interface <u>is configured</u> to generat[[ing]]<u>e</u> a merchant request in response to the retrieval request; and

wherein signature data associated with the retrieval request is not used to generate the substitute draft.

Allowable Subject Matter

Claims 1, 2, 4-7, 11-19 and 21-27 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent Claim 1, the best prior art, Nair et al. (U.S. 5,479,530), teaches an apparatus for capturing a signature applied to a receipt, comprising: a substitute draft system operable to receive a retrieval request and to generate a substitute draft in response to the retrieval request; and a merchant interface coupled to the substitute draft system, the merchant interface operable to generate a merchant request in response to the retrieval request. However, Nair et al. fails to disclose a mediation charge system coupled to the merchant interface, the mediation charge system operable to receive a mediation charge and to generate a merchant mediation charge if no response has been received to the merchant request.

As per independent Claim 11, the best prior art, Nair et al. teaches a method for capturing a signature applied to a receipt, comprising: receiving the retrieval request; generating the substitute draft; and generating a merchant request in response to the retrieval request. However, Nair et al. fails to disclose that said step of generating the substitute draft is conducted if it is determined that a retrieval request code is not in a set of retrieval requests codes that would prohibit the generation of the substitute draft.

As per independent Claim 12, the best prior art, Nair et al. teaches a method for capturing a signature applied to a receipt, comprising: receiving the retrieval request; generating the substitute draft; and generating a merchant request in response to the retrieval request. However, Nair et al. fails to disclose that said step of generating the substitute draft is conducted if it is determined that issuing bank data is not in a set of issuing bank data that would prohibit the generation of the substitute draft.

As per independent Claim 13, the best prior art, Nair et al. teaches a method for capturing a signature applied to a receipt, comprising: receiving the

retrieval request; generating the substitute draft; and generating a merchant request in response to the retrieval request. However, Nair et al. fails to disclose that said step of generating the substitute draft is conducted if it is determined that bank card agency data is not in a set of bank card agency data that would prohibit the generation of the substitute draft.

As per independent Claim 14, the best prior art, Nair et al. teaches a method for capturing a signature applied to a receipt, comprising: receiving the retrieval request; generating the substitute draft; and generating a merchant request in response to the retrieval request. However, Nair et al. fails to disclose that said step of generating the substitute draft is conducted if it is determined that transaction amount data is not in a set of transaction amount data that would prohibit the generation of the Substitute draft.

As per independent Claim 15, the best prior art, Nair et al. teaches a method for capturing a signature applied to a receipt, comprising: receiving the retrieval request; generating the substitute draft; and generating a merchant request in response to the retrieval request. However, Nair et al. fails to disclose that said step of generating the substitute draft is conducted if it is determined that card user data is not in a set of card user data that would prohibit the generation of the substitute draft.

As per independent Claim 16, the best prior art, Nair et al. teaches an apparatus for capturing a signature applied to a receipt, comprising: a bank system operable to generate the retrieval request in response to user entered data; a bankcard system comprising banks operable to receive the retrieval request from the banks; a transaction system coupled to the bankcard system operable to receive the retrieval request and to generate a Substitute draft and a merchant request; and a merchant system coupled to the merchant interface and operable to receive the merchant request and generate sales draft data in

response. However, Nair et al. fails to disclose that the transaction system is operable to assess a mediation charge against the merchant system if the merchant system has not generated sales draft data in response to the merchant request.

As per independent Claim 27, the best prior art, Nair et al. teaches an apparatus for capturing a signature applied to a receipt, comprising: a substitute draft system configured to receive a retrieval request and generate a substitute draft in response to the retrieval request; and a merchant interface coupled to the substitute draft system, the merchant interface configured to generate a merchant request in response to the retrieval request. However, Nair et al. fails to disclose that the signature data associated with the retrieval request is not used to generate the substitute draft.

The best foreign art, Taniguchi (JP405242338A) while teaching generating a copy of a transaction, fails to disclose a mediation charge system coupled to the merchant interface, the mediation charge system operable to receive a mediation charge and to generate a merchant mediation charge if no response has been received to the merchant request.

The best non-patent literature, "Anonymous Delivery of Goods in Electronic Commerce" (IBM Technical Disclosure Bulletin, 1996) while teaching employing a dispute resolution system for on-line applications, fails to disclose a mediation charge system coupled to the merchant interface, the mediation charge system operable to receive a mediation charge and to generate a merchant mediation charge if no response has been received to the merchant request.

The remaining dependent Claims are considered allowable, as they are dependent and based off an allowable independent Claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
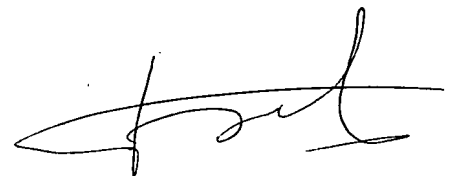
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IB
09/21/2007

IGOR N. BORISSOV
PRIMARY EXAMINER